

Reply to Office Action of October 21 2005
Amendment Dated: January 23, 2006

Appl. No.: 10/727,252
Attorney Docket No.: H0005762/HON-003

REMARKS

Claims 1-5, 7-9, 11-15, 17 and 18 were examined in the outstanding office action mailed on 06/16/2005 (hereafter "Outstanding Office Action"). Applicants note with appreciation that claim 3 has been indicated to be allowable. In response, claims 1, 3, 7-9, 11, 14, 15, 17 and 18 are sought to be amended, and claim 20 is sought to be added. The amendments and addition are believed not to introduce new matter, and their entry is respectfully requested. Claims 1-5, 7-9, 11-15, 17, 18 and 20 are thus presented for reconsideration, further in view of the below remarks.

Email Communications With the Examiner

The undersigned representative had sent claim 1, at least substantially as sought to be amended to the Examiner, requesting an interview by virtue of an email communication dated January 16 2006. In addition, the undersigned representative left a voice mail message requesting a telephone interview. In response, Applicant received an email on January 17 2006 containing the following text in relevant parts:

I just received your voice mail message left yesterday as yesterday was a Federal Holiday (Martin Luther Kings Birthday) and the Office was not open for business. As per your request for an interview, I would first like to point out MPEP 713.09 in which Interviews After Finals are discussed. Upon a quick review of your proposed amendment, and in light of (1) and (2) from your email below, and as per the aforementioned section of the MPEP, "interviews merely to restate arguments of record or to discuss new limitations which would require more than nominal reconsideration or new search should be denied. See MPEP 714.13." That being said, if you would like to discuss the proposed amendments, or the differences between the pending subject matter and Patterson in detail, an RCE filing with a Request for Interview would be the most prudent approach. Therefore, the request for interview After Final is denied, as per MPEP 713.09. However, in the interest of providing cursory comments on the amendments, the applicants amendments appear to merely incorporate functional language which, although may be outside the scope of Patterson, may not be patentable in light of others references which may teach the missing elements and or limitations. To fully ascertain whether the amendments present features which are patentable, further search and or consideration will be necessary. For future reference, if you would like an Interview, the Office kindly asks that the applicant fill out a PTO-413B form and submit this to the Examiner of record. This form may be faxed to (571) 273- 3684, which is the instant Examiners private fax mailbox.

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In response, Applicants file the instant paper. The applicant is believed to have met the burden of making of record the Substance of the Interview/email communication. See MPEP 713.04 for further clarification.

Allowable Subject Matter

5 Applicants thank the Examiner for indicating that claim 3 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening limitations. New claim 20 is believed to correspond to such a claim, and allowance of new claim 20 is respectfully requested.

10 The Examiner is invited to telephone Mr. Anthony Miologos at 602-313-5683 if it is believed that an interview might be useful for any reason.

Respectfully submitted,

Naren Thappeta

Date: January 23, 2006

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